

REMARKS

Claims 1-15 and 23-25 were pending in the application. By this paper, claim 1 has been amended, no claims have been canceled, and claims 1-15 and 23-25 remain pending. Reconsideration and withdrawal of the rejections and allowance of the claims are respectfully solicited in view of the foregoing amendments and the following remarks.

Claim Rejections - 35 U.S.C. 102

Claims 1 and 7-14 have been rejected under 35 U.S.C. §102(b) as anticipated by European Publication No. EP 0 505 065 (EP '065). Reconsideration and withdrawal of this rejection is respectfully solicited based on the following grounds.

As amended for clarity, independent claim 1 distinctly recites that the conductive track is integral with the electrode. It is possible, though not intended, that the prior form of claim 1 could have been interpreted as the base having been integral with the electrode.

Turning to the rejection under §102(b), claim 1 recites a method of manufacturing a component of a droplet deposition apparatus, the component having at least two portions; *a piezoelectric material body with channels*, and *a base* to which the body is attached. In particular, claim 1 recites "the body being attached to *a surface of the base*" wherein that surface "is free of substantial discontinuities." Claim 1 further recites "attaching the body to *said surface* of the base; and depositing a layer of conductive material so as to extend continuously over *said surface* of the base and at least one of said channel surfaces." This conductive material formation and arrangement is recited "to provide an *electrode on each channel surface and a conductive track on said surface* of the base"

Thus, claim 1 requires that a conductive material be deposited as a continuous layer over both the recited base surface and at least one of the channel surfaces in the piezoelectric material body. The base surface is a distinct, separate surface from both any part of the body including the channels surfaces of the body, as well as any part of the base that might define portions of the channels. Instead, claim 1 clearly describes the surface of the base as that surface to which the piezoelectric material body is attached. The conductive material is deposited over both surfaces, and only after the base and body are attached and the channels have been formed.

In contrast, EP '065 discloses placing a layer of piezoelectric material on a surface of a base. As described in the EP '065 document, the piezoelectric material layer extends over and *covers the entire surface of the base* to which it is attached, leaving no portion of the base

surface exposed. Channels are subsequently cut or sawn through the piezoelectric material layer and into the base. Electrode material is then deposited which cover the channel surfaces, parts of which are formed from the base component. A patterned resist is then formed on the surface of the piezoelectric material layer. This patterned resist is used to define each of the separate tracks and electrodes.

No conductive material in the EP '065 document can possibly be deposited on that surface of the base to which the piezoelectric material is attached. This is because that surface of the base in EP '065 is completely covered by the piezoelectric material layer, leaving none exposed. Thus, the conductive tracks in EP '065 are formed only on the piezoelectric material layer. Any conductive material that would contact material of the base would do so only within the sawn channels. This would merely be an extension to the electrodes in the channels. This would not constitute a conductive track within the meaning of rejected claim 1.

Any base "surface" that becomes exposed within the sawn channels and subsequently covered by electrode material in EP '065 cannot be construed as *a surface of the base* within the context of claim 1. This is because claim 1 clearly defines the said base surface as the one to which the piezoelectric material is attached. No such piezoelectric material is attached to the post-sawn exposed material of the base within the channels. EP '065 does not disclose or suggest at least the above-mentioned limitations of independent claim 1.

As is very well known, a proper anticipation or obviousness rejection requires that all of the limitations of a rejected claim must be taught or suggested by the cited prior art. Claim 1 and its corresponding dependant claims 7-14 are neither anticipated nor rendered obvious by EP '065 taken alone. The rejection under §102(b) should be withdrawn in view of the foregoing remarks.

Claims Rejections - 35 U.S.C. 103

Claims 2 and 6 have been rejected under 35 U.S.C. §103(a) as obvious over EP '065 in view of Ochiai et al., U.S. Patent No. 5,193,256 (Ochiai). Claims 3-5 have been rejected as obvious over EP '065 in view of European Patent No. EP 0 397 441 (EP '441). Claim 15 has been rejected as obvious over EP '065. Lastly, claims 23-25 have been rejected as obvious over EP '065 in view of Ochiai and EP '441. The obviousness rejections are believed to be overcome in view of the foregoing with regard to EP '065 and the following remarks.

The missing teachings of EP '065 are discussed above. Ochiai and EP '441 each also fail to teach or suggest at least these same limitations. To illustrate, Ochiai teaches nothing different than EP '065, which is essentially admitted in the official action at the very top of page 4 (paragraph 5). EP '441 does not disclose the missing limitations of claim 1 and no such assertion is made in the official action. No combination of EP '065, Ochiai, and/or EP '441 teaches all of the method steps and limitations of base claim 1.

As a result, dependent claims 2-6, 15, and 23-25 are not rendered obvious by the purported reference combinations. The rejections under §103(a) should be withdrawn in view of the foregoing remarks.

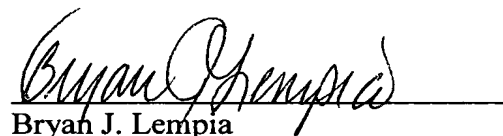
CONCLUSION

The applicants believe that claims 1-15 and 23-25 are in condition for allowance in view of the foregoing remarks. The only amendments made herein are to claim 1 and have been made merely to clarify, not further limit or narrow, claim 1.

The applicants invite the examiner to contact the undersigned at the telephone listed below in order to discuss any remaining issues or matters of form that will place this case in condition for allowance.

No fee is believed due at this time. However, the Commissioner is hereby authorized to charge any fee deficiency, or to credit any overpayments, to Deposit Account No. 13-2855 of the undersigned's firm.

Respectfully submitted,



Bryan J. Lempia
Reg. No. 39,746
MARSHALL, GERSTEIN & BORUN
233 S. Wacker Dr.
6300 Sears Tower
Chicago, Illinois 60606
(312) 474-6300

January 6, 2004